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21 Attorneys For Defendants
22 COMCAST OF CALIFORNIA/COLOARDO/WASHINGTON I, INC.

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24
**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

25 MATTHEW JOHNSON, On Behalf Of Himself
26 And All Others Similarly Situated,

27 Plaintiff,

28 vs.

29 COMCAST OF CALIFORNIA/
30 COLORADO/WASHINGTON I, INC.

31 Defendant.

32 CIVIL ACTION NO. 3:10-CV-04147 JSW

33
**JOINT STATUS UPDATE OF RELATED
34 STATE COURT LITIGATION**

35 Courtroom: 11 – 19th Floor
36 Judge: Jeffrey S. White

1 Pursuant to this Court's January 6, 2011 Order granting Defendant Comcast of
 2 California/Colorado/Washington I, Inc.'s ("Comcast" or "Defendant") Motion to Stay, Plaintiff
 3 Matthew Johnson ("Plaintiff") and Comcast hereby submit the following Joint Status Update Regarding
 4 the Related State Court Litigation, which is based upon the representations of Defendant regarding the
 5 state court proceedings.

6 **STATUS OF STATE COURT LITIGATION**

7 The matter of *Fayerweather v. Comcast Corporation and Comcast of Contra Costa, Inc.*,
 8 currently pending in the Superior Court of California in and for Contra Costa County as Case
 9 No. C-08-01470, continues to move towards trial. The opt-out period for the class ended on June
 10 27, 2011.

11 On April 12, 2012, the California Supreme Court issued its decision in *Brinker*
 12 *Restaurant Corp. v. Superior Court*. The *Brinker* decision triggered a briefing schedule pursuant
 13 to the *Fayerweather* Court's November 2011 Order to Show Cause Why The Matter Should
 14 Remain Certified. On May 25, 2012, Plaintiff Fayerweather submitted a motion for certification
 15 in response to the Court's Order to Show Cause. Defendants Comcast Corporation and Comcast
 16 of Contra Costa, Inc. have until July 16, 2012 to submit their opposition. Following Comcast's
 17 opposition, Plaintiff Fayerweather will have 45 days in which to submit reply briefing. Based on
 18 the schedule set by the *Fayerweather* Court, briefing on the Order to Show Cause should be
 19 completed no later than August 27, 2012. Should Comcast prevail on the Order to Show Cause
 20 Why The Matter Should Remain Certified, the *Fayerweather* Court will decertify the case.

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No trial date has been set in the matter.

Dated: June 19, 2012

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/s/
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Attorneys for Plaintiff, Matthew Johnson

1 Dated: June 19, 2012

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4 /s/

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16 Comcast of California/Colorado/
17 Washington I, Inc.

ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Jennifer M. Martinez, am the ECF User whose identification and password are being used to file the **Joint Status Update of Related State Court Litigation**. In compliance with General Order 45.X.B., I hereby attest that each of the signatories above has concurred in this filing.

Dated: June 19, 2012

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: _____ /s/
Jennifer M. Martinez

Attorneys for Defendant
Comcast of California/Colorado/
Washington I, Inc.